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SUBJECT: GUIDANCE: PROTECTION OF CIVILIANS DEBATE, JUNE 26

11. (U) This is an action request. USUN should draw from the building blocks in para 2 during the open debate on the protection of civilians in the Security Council on June 26.

12. (SBU) Begin building blocks:

Thank you, Mr. Holmes, for your briefing. I would also like to thank the Secretary General for his comprehensive report.

As the Secretary General's report notes, this year is the tenth anniversary of the first debate on protection of civilians in the Security Council. His report cites actions that the Council has taken since then, but also lays out the many challenges still ahead for the international community to take the steps necessary to protect civilians, in particular in translating the Council's actions into "concrete improvements on the ground."

The Secretary General has made a number of recommendations in his report which this Council should review carefully to be better able to promote protection of civilians in armed conflict worldwide.

Civilian protection must be a core objective in all military operations. The U.S. Government understands that protection of civilians is a vital priority.

In Afghanistan, while Taliban and al Qaeda forces deliberately employ tactics designed to increase the number of innocent civilian deaths, the international coalition continues to fight those Taliban and al Qaeda forces with as few civilian casualties as possible. We deeply regret every innocent civilian life that is lost. U.S. forces serving in Afghanistan operate under rules and orders designed to minimize civilian casualties, and we will continue to review them to improve their effectiveness. As U.S. Defense Secretary Robert Gates said recently, we are making reduction of civilian casualties in Afghanistan a priority. The new ISAF commander in Afghanistan has made it clear he will move quickly to implement this priority.

The United States believes that all nations must abide by international humanitarian law. We are determined to act to prevent violations of international humanitarian law and committed to working with the international community to defeat violence in a manner consistent with our values, legal obligations, and ideals.

At the 2005 World Summit UN member states reached a mutual understanding that all nations have the responsibility to protect their civilian populations and that the international community has a responsibility to protect civilians when states are unwilling and unable to do so.

The Security Council reaffirmed this commitment in Resolution 1674 and the Council has taken this principle into account in its actions on Sudan and the Democratic Republic of Congo (DRC).

Resolution 1674 also reaffirmed that ending impunity for such violations of international humanitarian law is essential for a society to come to terms with its past, prevent future abuses, establish accountability, and promote reconciliation. The United Nations is involved in a number of efforts to promote accountability and end impunity.

The war crimes tribunals for the Former Yugoslavia and Rwanda, and the hybrid tribunals in Sierra Leone and Cambodia, are actively prosecuting crimes involving violations of international humanitarian law. As the Secretary-General has rightly pointed out in his report, to truly end impunity, we must help to establish functioning judicial systems so that criminals may be tried locally, and senior leadership can be held responsible for atrocities committed in their respective countries.

Mr. President, we must take special note of the most vulnerable populations in conflict - including women and children. In the Democratic Republic of Congo a decade of fighting and hardship has left more than 5 million people dead, and countless women and girls the victims of rape and sexual exploitation. Sexual violence in this instance is a weapon. This inexcusable sexual violence has been - and continues to be - highly prevalent in a wide area in the east of the country. It must be stopped. We are redoubling our efforts to address the issue in all of its aspects - from prevention measures, including efforts to change attitudes about the status of women, to treatment of victims, to better accountability for perpetrators.

We also welcome the steps taken to eliminate any exploitation of vulnerable populations by peacekeeping forces and relief organizations meant to assist and protect them, but note that there are still unacceptably frequent allegations of such abuse. In this regard, we look forward to the Secretary General's report on the implementation of resolution 1820 on the issue of women, peace and security. The Council must ensure that provisions of this resolution, especially those related to sexual violence, are implemented and that there are clearly understood consequences if peacekeepers or relief workers are themselves found guilty of such crimes.

Compulsory recruitment of child soldiers is, sadly, still a reality, and we continue to see exploitation of children in this way by armed groups in the Congo, Sudan, and elsewhere. And now that the fighting has ended in Sri Lanka, we are beginning to identify children who were forcibly recruited into the Liberation Tigers of Tamil Eelam (LTTE).

We have witnessed too many instances in recent months where governments and armed groups have not allowed sufficient access to vulnerable populations. The Secretary General's report rightly stresses the fundamental nature of such access, and makes 15 specific recommendations for Security Council action which we should consider carefully. Some of these recommendations state what should be obvious and agreed to by everyone, such as the need to condemn all acts of violence against humanitarian workers, allow safe passage for civilians trying to flee conflict zones, and create conditions conducive to safe humanitarian action. The United States welcomes the report's annex detailing constraints on humanitarian access, and we are certain that it will become a useful tool in helping to ensure civilian well-being.

In several instances, peacekeeping operations have been asked to take on more robust mandates, with protection of civilians as a priority. But peacekeepers must have

properly defined and realistic mandates and the appropriate skills to fulfill their missions. The Secretary General's report says that "the protection of civilians" mandate in peacekeeping missions remains largely undefined as both a military task and as a mission-wide task.? Given this conclusion, we look forward to the upcoming study by the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Peacekeeping Operations (DPKO) - which we understand will be released in July - on how best to put guidelines for protection of civilians into actual practice. We hope this will also provide guidance that will help the Security Council when we consider renewing the mandates of specific missions.

Peacekeepers must also receive adequate resources to do the job. For example, the Secretary General's report states that the African Union/UN Mission Hybrid Operation in Darfur (UNAMID) is only at 67 percent of its military strength, and excluding support units, the police personnel are at only 38 percent of authorized strength. That is unacceptable, given the magnitude of the humanitarian crisis in Darfur and the urgent need to protect innocent civilians trapped in the middle of the warring parties.

Finally, I want to thank the Secretary-General for his recommendations, which we will review carefully, and I want to extend the United States' thanks and commendation to the men and women of those UN agencies and NGOs whose dedication and work on protection of civilians in the context of humanitarian crises is critical to our ultimate success.

End building blocks.
CLINTON